PATENT

RECEIVED
CENTRAL FAX CENTER

JAN 12 2006

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facstmile transmitted to:

CASE #F3312(C) UNUS #02-0310-UNI

"Commissioner for Patents" P.O. Box 1450 Alexandria, VA 22313-1450

on Janfary 11, 2006

Gerard J. McGowan, Jr. Reg. No. 29,412 Attorney for Applicants January 11, 2008 Date of Signature IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO.

000201

APPLICANT: SERIAL NO.: Panaioli et al.

FILED:

10/616,144 July 8, 2003

FOR:

Frozen Layered Pasta Product

GROUP:

1761

EXAMINER:

Maureen C. Donovan

ENGLEWOOD CLIFFS, NEW JERSEY 07632

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated August 12, 2005 of the Primary Examiner's final rejection of claims 1-4 and 6.

The item(s) check below are appropriate:

[] A timely response to the final Rejection has been filed.

[X] An Extension of Time to respond to the Final Rejection was requested for two months.

[] An Extension of Time to file a-Notice of Appeal was granted for one month(s).

[X] Charge statutory fee of \$500.00 to Deposit Account No. 12-1155.—Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

Gerard J. McGowan, Jr. Attorney for Applicant

Registration No. 29:412/2006 TL0111

00000061 121155

10616144

GJM:pod (201) 894-2297

01 FC:1401

500.00 DA